

## **MINUTES**

### **MONTANA SENATE 64th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON JUDICIARY**

**Call to Order:** Chair Scott Sales, on January 27, 2015 at 9:00 AM, in Room 303 Capitol

#### **ROLL CALL**

**Members Present:**

Sen. Scott Sales, Chair (R)  
Sen. Jennifer Fielder, Vice Chair (R)  
Sen. Robyn Driscoll (D)  
Sen. Jedediah Hinkle (R)  
Sen. Douglas (Doug) Kary (R)  
Sen. Mary McNally (D)  
Sen. Mary Sheehy Moe (D)  
Sen. Diane Sands (D)  
Sen. Nels Swandal (R)  
Sen. Chas Vincent (R)

**Members Excused:** Sen. Kris Hansen (R)  
Sen. Cliff Larsen (D)

**Members Absent:** None

**Staff Present:** Julianne Burkhardt, Legislative Branch  
Pam Schindler, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: SB 165,1/20/2015; SB 131,1/23/15; SB 143,1/23/15; SB 186,  
1/23/15  
Executive Action: SB 131-Do Pass

**HEARING ON SB 186**

**Opening Statement by Sponsor:**

00:00:59 Sen. Roger Webb (R), SD 23, opened the hearing on SB 186, Revising laws relating to executing a power of attorney for a minor.

[EXHIBIT\(jus18a01\)](#)

**Proponents' Testimony:**

None

**Opponents' Testimony:**

None

**Informational Testimony:**

00:06:32 Andrew Brown, Federal Government Accountability (FGA) via telephone.

**Questions from Committee Members and Responses:**

00:07:04 Sen. Swandal  
00:07:23 Sen. Webb  
00:07:35 Sen. Sands  
00:07:57 Sen. Webb  
00:08:50 Mr. Brown, FGA  
00:09:29 Sen. Sands  
00:09:47 Sen. Webb  
00:09:53 Sen. Moe  
00:10:14 Sen. Webb  
00:12:22 Mr. Brown  
00:14:27 Chairman Sales  
00:14:50 Sen. Vincent  
00:15:35 Sen. Webb

**Closing by Sponsor:**

00:16:15 Sen. Webb

**HEARING ON SB 165**

**Opening Statement by Sponsor:**

00:16:29 Sen. Dick Barrett (D), SD 45, opened the hearing on SB 165, Increase penalty for failure to comply with Montana's seat belt laws.

[EXHIBIT\(jus18a02\)](#)

[EXHIBIT\(jus18a03\)](#)

**Proponents' Testimony:**

00:30:11 Mike Tooley, director, Montana Department of Transportation (MDT),  
representative, Governor's Task Force on Safety

[EXHIBIT\(jus18a04\)](#)

[EXHIBIT\(jus18a05\)](#)

00:34:43 Jim DeTienne, Department of Public Health and Human Services (DPHHS),  
Emergency Medical Services (EMS) and Trauma Division, State of Montana

[EXHIBIT\(jus18a06\)](#)

00:39:06 Barry "Spook" Stang, executive vice president, Motor Carriers of Montana (MCM)

00:40:15 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

00:41:20 Jean Branscum, Montana Medical Association (MMA)

00:42:14 Nick Lockridge, self, TK Memorial Golf Tournament

**Opponents' Testimony:**

00:46:11 Gary Marbut, self

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:47:55 Sen. Swandal

00:48:14 Mr. Tooley, MDT

00:49:11 Sen. Sands

00:49:28 Mr. Marbut, self

00:50:20 Sen. Sands

00:50:32 Mr. Tooley

00:52:12 Chairman Sales

00:52:24 Mr. Tooley

**Closing by Sponsor:**

00:52:55 Sen. Barrett

[EXHIBIT\(jus18a07\)](#)

**HEARING ON SB 143**

**Opening Statement by Sponsor:**

00:56:05 Sen. Cary Smith (R), SD 27, opened the hearing on SB 143, Clarify  
constitutional provisions and law related to board of regents/u-system.

**Proponents' Testimony:**

00:58:44 Gary Marbut, Montana Shooting Sports Association (MSSA)  
 01:02:30 Schuyler Watt, self, graduate, University of Montana (UM), Missoula  
 01:08:17 Doug Nulle, self  
 01:12:09 Christine Gobrogge, self, graduate student, Montana State University (MSU),  
 Bozeman

**Opponents' Testimony:**

01:14:53 Kevin McRae, deputy commissioner, Higher Education-Montana University  
 System (MUS)  
 01:24:19 J.C. Weingartner, MEA-MFT  
 01:31:54 Kelsen Young, Montana Coalition Against Domestic and Sexual Violence  
 (MCADSV)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

01:33:10 Sen. Kary  
 01:34:07 Mr. Weingartner, MEA-MFT  
 01:35:51 Mr. McRae, MUS  
 01:36:36 Sen. Kary  
 01:36:55 Mr. McRae  
 01:38:03 Sen. Vincent  
 01:38:31 Sen. Smith  
 01:39:16 Sen. Vincent  
 01:39:35 Mr. Marbut  
 01:39:55 Sen. Vincent  
 01:40:31 Mr. McRae  
 01:45:36 Sen. Hinkle  
 01:46:55 Ms. Gobrogge, MSU  
 01:48:51 Sen. Moe  
 01:49:39 Mr. McRae  
 01:51:54 Sen. Moe  
 01:52:18 Sen. Smith  
 01:53:38 Sen. Sands  
 01:54:17 Mr. McRae  
 01:56:16 Sen. Sands  
 01:56:52 Sen. Smith

**Closing by Sponsor:**

01:58:15 Sen. Smith

**HEARING ON SB 131**

**Opening Statement by Sponsor:**

02:06:58 Sen. Douglas (Doug) Kary (R), SD 22, opened the hearing on SB 131, Revise concealed weapon renewal laws.

**Proponents' Testimony:**

02:08:40 Gary Marbut, Montana Shooting Sports Association (MSSA)

02:08:52 Doug Nulle, self

02:09:05 Jim Smith, Montana Sheriffs and Peace Officers Association (MSPOA)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

02:10:07 Sen. Vincent

02:10:36 Sen. Kary

**Closing by Sponsor:**

02:11:22 Sen. Kary

**EXECUTIVE ACTION ON SB 131**

02:12:01 **Motion/Vote:** Sen. Kary moved that **SB 131 DO PASS**. Motion carried unanimously by voice vote. Sen. Hansen and Sen. Larsen voted by proxy.

**ADJOURNMENT**

Adjournment: 11:15 A.M.

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Pam Schindler, Secretary

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Additional Information

Additional Documents:

**EXHIBIT**([jus18aad.pdf](#))